

TRANSMITTAL #7

MEMORANDUM

March 24, 2011

TO: Workforce Development Council

FROM: Roger B. Madsen, Director

Roger B. Madsen

SUBJECT: Modification to the Workforce Investment Act State Plan

ACTION REQUESTED: Approve the WIA State Plan Modification

BACKGROUND:

The Workforce Investment Act (WIA) establishes a five-year planning cycle for Title 1 of the Workforce Investment Act and for the Wagner-Peyser (W-P) Act. All WIA/W-P State Plans and all approved waivers currently in place will expire on June 30, 2011. The U.S. Department of Labor is requiring states to submit WIA/W-P Plan modifications covering the next year of the 5-year planning cycle (PY 2011) by April 15, 2011 to receive WIA/W-P formula allotments.

This transmittal's attachments summarize the policy changes that have been approved by the Workforce Development Council since Idaho's last Plan modification. These changes have been incorporated into Idaho's State Plan.

The Vision, Mission and Goals will be incorporated into the modification following adoption by the council and relevant portions of the plan will be changed accordingly.

Following approval by the Workforce Development Council, the State Plan modification will be published on the department's website (www.labor.idaho.gov) on April 1, 2011 for public comment.

STAFF RECOMMENDATION:

Approve the Workforce Investment Act and Wagner-Peyser State Plan modification.

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Attachment A

BUDGET AND FUNDING STRATEGY:

- **WIA Formula Funds/Governor's 15 Percent Reserve Funds**

With some exceptions, WIA Governor's 15 Percent Reserve Funds will continue with the same strategy used for the last program year, funding basic administrative staff, offering incentives for the consortium partner, providing funding for youth in need, offering additional support for the One Stop system and providing support for optional activities. These optional activities include support for funding of additional labor market information and establishing a small marketing budget. The Department will provide research and necessary logistical support to Governor Otter's Health Professions Education Council. This approach is subject to the availability of an appropriation. Currently H.R. 1 would eliminate any new funding for next program year. Should that pass, funds will not be adequate to fund mandatory activities. If funds are available at reasonable levels, the WIA Formula Funds/Governor's 15 Percent Reserve funds will be used in PY 2011 as follows:

- Formula 15 Percent funds to be used for mandatory and optional activities using current strategies, including support for special research studies in health care professions.
- Youth in need funds will be distributed based on a greater relative share of those in poverty and formula allocation of less than \$250,000.
- Dependent upon availability, projects with approval of the executive committee or other committee appointed by the chair that:
 1. Are directed toward high growth industries of alternative energy, health care, advanced manufacturing or other demonstrated high growth, high wage industry;
 2. Include a minimum of industry, education and workforce agency participation; and
 3. Include a match of 100 percent of funds invested from local industry or education funds; or
 4. Provide summer youth opportunities through the Idaho Youth Corps which include matching funds from any federal, state, or local source.

If new program year funds are eliminated by the passage of H.R.1, priority for use of formula funds will be to phase out the training programs of all participants who have not completed their planned course of study. Should this become necessary, participant need rather than regional equity will determine the allocation of funds across the state. The Workforce Development Council will be consulted in any final distribution that deviates from the approved formula.

Attachment B

SERVICE DELIVERY STRATEGY:

- **ES Governor's 10% Funds**

With the changing economic climate, the State has allocated the Employment Service (ES) Governor's 10% and formula funds to support the department's "Business Solutions" initiative to improve outreach services to businesses. This initiative aligns workforce and education services to business needs and priorities by adopting a "Sector Strategy" approach that:

1. Targets key industries within the state (Health Care, Energy, Advanced Manufacturing, and Technology);
2. Builds partnerships among employers, education and workforce providers;
3. Identifies and address training needs of business by sector; and
4. Leverages public and private resources.

Selected One-Stop staff are being trained as business consultants and will provide additional support to implement this effort.

- **WIA Participant Eligibility Parameters and Financial Assistance**

The State Plan outlines additional Idaho policies not otherwise identified and the following WIA policy changes previously approved by the Workforce Development Council:

1. Dislocated Worker – Change to eligibility timeline from 2 to 3 years.
Three years will be established as the timeframe from which the layoff, termination or ending of self-employment occurred for dislocated worker eligibility purposes.
2. Dislocated Worker – Changes in relocation allowances from \$2,000 to \$4,000.
Relocation assistance is limited to 90 percent of allowable and actual costs not to exceed \$4,000.
3. Youth Incentives – Change to incentive amounts offered from \$50 from \$250
\$250 will be offered as an incentive to out-of-school, basic skills deficient youth for each area – literacy and numeracy – in which they demonstrate an increase of one or more educational functioning levels based on their pre- and post-test scores. This incentive fund will be issued upon receipt of participant's post-test scores noting the increase in educational functional levels.

- **Green Initiative**

Idaho's Grow Green project, emanating from an USDOL "green" grant, directs over \$500,000 to fund green training opportunities through apprenticeships. These are intended to support individual apprenticeship opportunities with employers who offer new job opportunities in green occupations. This grant identifies specific labor force populations for priority recruitment and access to the training/apprenticeship opportunities of the Grow Green projects ~ veterans, dislocated workers, low-skills adults and youth, incumbent workers, claimants likely to exhaust unemployment insurance, high school students interested in targeted industries, and individuals with criminal records.

Attachment C

WAIVERS:

The following is a list of previously approved administrative waivers currently in place in Idaho's WIA/W-P State Plan. Idaho wishes to submit an extension request for the waivers listed below via the PY 2011 State Plan Modification for continued use through the duration of PY 2011.

1. To waive the time limit on period of initial eligibility for training providers (20 CFR 663.50)
2. To use common measures reporting (WIA Section 136(b))
3. To allow the Workforce Development Council to serve as a local board for the statewide planning region (20 CFR 661.300(f))
4. To exempt from the competition/procurement for the follow-up, support services and work experience components, to include internship and summer work experience, and having those services categorized as part of the design framework (WIA Section 123, Section 117(h)(4)(B)(i), and 20 CFR Part 664.400)
5. To exempt from the prohibition on using WIA youth dollars to fund Individual Training Accounts (ITAs) for youth (WIA Section 129 and 29 CFR 664.510)
6. To increase the employer reimbursement rate for On-the-Job Training Participation (WIA Section 101(31)(B) and 20 CFR 663.170)

Idaho's performance goals for PY 2011 for both WIA and W-P programs are currently slated to remain the same as PY 2010.

Attachment D

Migrant Seasonal Farm Worker Plan:

In previous years, USDOL/ETA has required states to submit a regular, stand-alone Agricultural Outreach Plan for services to the Migrant and Seasonal Farm Worker (MSFW) population. As part of an overall redesign of the state planning process, ETA requires the MSFW outreach plan be integrated into the overall WIA/W-P State Plan by PY 2012, but encourages states to take steps to do so in the PY 2011 Plan modification. Idaho has updated its MSFW outreach plan and has incorporated these changes into this PY 2011 modification. A summary is below. These changes do not impact Idaho's current policy regarding service structure; they simply integrate what were previously two separate documents.

Summary of Agricultural Outreach Plan:

Migrant and seasonal farm workers, like other One Stop customers, have access to all services provided by the Idaho Department of Labor for which they qualify. As per 20 CFR 153.103, customers registering with our system are identified for farm worker status according to 20 CFR 651.10 definitions.

The department and Community Council of Idaho (Idaho's 167 grantee) work in conjunction to ensure appropriate referral of MSFW customers for participation in training and other services. At a minimum, the following collaborative activities will occur during the upcoming agricultural seasons:

- Revision/renewal of an agreement for coordination of services between the Idaho Department of Labor and the Community Council of Idaho
- Mutual participation in staff training
- Sharing of outreach materials by both agencies
- Sharing of data for reporting
- Mutual referral of customers
- Assessment of opportunities for co-enrollment

Outreach Activity and Performance

The department identifies geographic areas in which significant levels of agricultural work exists and develops its MSFW outreach plan correspondingly, targeting large events where a great number of farm workers may be contacted.

The Idaho Department of Labor is responsible for meeting performance standards set out by the U.S. Department of Labor including referral to jobs, staff assisted services, referral to support services, referral to career guidance and job development contacts. The Minimum Service Level Indicators, also established by U.S. DOL, are:

- Placements (42.50% of registered farm workers)
- Placements at \$7.75 or 0.50 more than minimum wage (14% of registered farm workers)
- Placements on long term non-agricultural jobs (3% of registered farm workers)
- Review of 5 significant offices
- Conduct field checks on 25% of H2A employer sites employing US workers
- Conduct 5 MSFW contacts per staff day worked (8 hours) and
- Timely processing of complaints (within 45 days of filing)